



DOCKET NO. CRD0834USNP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Frank Butaric Confirmation No.: 5116
Serial No.: 09/714,093 Group No.: 3738
Filed: 11/16/2000 Examiner: Miller, Cheryl L.
For: An Improved Stent for Use in a Stent Graft.

Certificate of Mailing or Transmission [37 CFR 1.8(a)]
I hereby certify that this correspondence is being:

☒ deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Mail Stop PETITION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

☐ transmitted by facsimile on the date shown below to the United States Patent and Trademark Office at (571) 273-8300.

May 15, 2008
(Date of Deposit)

Carl J. Evens
Name of applicant, assignee, or Registered Representative

Carl J. Evens
(Signature)

May 15, 2008
(Date of Signature)

10/27/2008 GARIAS 00000004 100750 09714093

01 FC:1464 130.00 DA
02 FC:1806 180.00 DA

Attention: Office of Petitions
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA. 22313-1450

RENEWED PETITION UNDER 37 CFR 1.137(b))

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extensions of time actually obtained.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or Issue fee;
3. Terminal disclaimer with disclaimer fee-required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity fee \$_____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
☒ Other than small entity fee \$1,500. (37 CFR 1.17(m))

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office Action in the form of _____ RCE & IDS _____ (identify type of reply):
☐ has been filed previously on _____
☒ is enclosed herewith.

05/19/2008 HVDNG2 00000074 100750 09714093

01 FC:1453 1540.00 DA

05/19/2008 HVDNG2 00000074 100750 09714093

03 FC:1501 1440.00 DA

- B. The issue fee and publication fee(if applicable)of \$1,400_
☐ has been paid previously on _____
☒ is enclosed herewith.

3. Terminal disclaimer with disclaimer fee

- ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.
☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$_____ for a small entity or \$_____ for other than a small entity) disclaiming the required period of time is enclosed herewith (See PTO/SB/63).

STATEMENT: The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE. The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(c), subsections (III)(C) and (D))]

- ☒ Charge the petition fee of \$1,500 and the Issue Fee of \$1,400 to Account 10-0750/CRD834/CJE and for any additional fee required. A duplicate of this petition is attached.
☐ A check in the sum of \$_____ is attached.
☒ Charge Account 10-0750 for any additional fee required.

By: _____

Carl J. Evens
Reg. No.: 33,874
Attorney for Applicant(s)

JOHNSON & JOHNSON
One Johnson & Johnson Plaza
New Brunswick, NJ 08933
Tel. No.: (732) 524-2518
Date: May 15, 2008

- Enclosures: ☒ Fee Payment
☒ Reply
☐ Terminal Disclaimer Form
☒ Additional Sheets containing statements establishing unintentional delay
☒ Other: ___IDS & References_____